

# Abstract

## Patient's damage

The goal of this presented diploma thesis is to discuss the problem of patient harm due to health care.

To achieve the stated goal, the thesis is divided into five main chapters, in which the first chapter discusses the relationship between the patient. The first chapter also introduces the rights and obligations of both the patient and the physician. This chapter also deals with the issue of informed consent.

The second chapter focuses on the issue of legal liability, addressing both civil liability in general and its individual types, as well as criminal liability.

The next chapter is about the procedure *lege artis* and the related health ethics concept. Part of this chapter is also the issue of expert opinions.

The fourth chapter is crucial for the thesis, because it deals with the patient's own damage. This chapter deals not only with undesirable events that could result in patient harm, but also about the subsequent compensation of the patient in the form of painful and compensation for the burden of social application. Within the subchapter on patient harm in practice are mentioned the decisions of the Supreme Court of the Czech Republic issued in specific cases of patients' injuries. And for completeness, one European Court of Human Rights decision.

The last chapter mentions and outlines the patient's individual options for defense in the event of damage to his health. The chapter deals not only with the judicial solution of the damage, but also with the out-of-court way of achieving compensation.